

United States District Court
Northern District of Texas
Amarillo Division

SPECTRUM WT, BARRETT BRIGHT,
AND LAUREN STOVALL,
Plaintiffs,

v.

WALTER WENDLER, in his individual
capacity and his official capacity as the
President of West Texas A&M
University, CHRISTOPHER THOMAS, in
his official capacity as Vice President
for Student Affairs at West Texas
A&M University, JOHN SHARP, in his
official capacity as Chancellor of the
Texas A&M University System,
ROBERT L. ALBRITTON, JAMES R.
BROOKS, JAY GRAHAM, MICHAEL A.
HERNANDEZ III, TIM LEACH, BILL
MAHOMES, ELAINE MENDOZA,
MICHAEL J. PLANK, CLIFF THOMAS,
AND DEMETRIUS L. HARRELL, JR., in
their official capacities as members of
the Board of Regents of the Texas
A&M University System,
Defendants.

Case 2:23-cv-00048-Z

DEFENDANTS' MOTION TO DISMISS

Defendants move to dismiss Plaintiffs' Amended Complaint, Dkt. 28, under Federal Rule of Civil Procedure 12(b)(1). As further detailed in the accompanying brief in support, also filed in opposition to Plaintiffs' Motion for Preliminary Injunction, *see* Dkt. 30 (Motion), 31 (Brief in Support), Plaintiffs' claims fail for threshold reasons, including lack of standing, and should be dismissed. Further, Plaintiffs' motion fails to establish their

entitlement to extraordinary preliminary relief as they are unlikely to succeed on the merits of their claims.

Dated May 5, 2023.

Respectfully submitted.

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Certificate of Service

I certify that on May 5, 2023, this motion was served on all counsel of record by electronic filing.

/s/ Amy S. Hilton
AMY S. HILTON